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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SUSIE LEAHY, *et al.*,

Plaintiffs,

vs.

LONE MOUNTAIN AVIATION, INC., *et al.*,

Defendants.

Case No. 2:10-CV-00082-GMN-(PAL)

**PLAINTIFFS' OPPOSITION TO
DEFENDANT LONE MOUNTAIN
AVIATION, INC.'S MOTION *IN LIMINE*
TO INTRODUCE EVIDENCE OF
PLAINTIFF LEAHY'S REMARRIAGE**

Plaintiff Susie Leahy, individually, and Susie Leahy as guardian *ad litem* for Rebecca Susan Leahy, a minor, Hannah Joy Leahy, a minor, and William John Leahy, III, a minor, submit the following points and authorities in opposition to Defendant Lone Mountain Aviation, Inc.'s ("LMA") motion *in limine* seeking to introduce evidence of plaintiff Susie Leahy's remarriage.

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT

In this matter, plaintiffs have filed their own Motion *in Limine* No. 4 to preclude any reference to plaintiff Susie Leahy's remarriage.

Inasmuch as that pleading filed as Docket No. 77 by the plaintiffs in this case contains plaintiff's point and authorities on this matter, plaintiffs incorporate that document by reference in opposition to LMA's present motion *in limine*.

II.

CONCLUSION

Based on the points and authorities continued in plaintiffs' Motion *in Limine* No. 4 to preclude evidence of her remarriage (Docket No. 77), it is respectfully submitted that this court give full force and effect to Nevada's wrongful death statutes which come into force and effect upon the death of the decedent and are designed to provide plaintiffs with the full benefit of damages permitted them by state statute. To do otherwise, would provide a potential tortfeasor

such as LMA with a collateral benefit that it is not entitled to, to wit, taking advantage of potential changed financial circumstances based on a spouse's remarriage.

DATED: March 14, 2013

Respectfully submitted,

BAILEY & PARTNERS
A Professional Corporation

LAW OFFICE OF JIM ORONoz

By: /s/Keith A. Lovendosky
Attorneys for Plaintiffs SUSIE LEAHY, REBECCA
SUSAN LEAHY, HANNAH JOY LEAHY and
WILLIAM JOHN LEAHY, III

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing, via electronic and/or first class mail, postage prepaid, on the following this 14th day of March, 2013:

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